Appl. No.: 10/505,303
Reply to Office Action of: 03/21/2006

REMARKS

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kawamura (JP 08-15564) and further in view of Auracher (US 5,357,590) and Aoyama et al (US 5,345,336). The examiner is requested to reconsider this rejection.

Claim 1 claims a connector comprising a set of two lenses each with a flat face placed against a plate made of transparent material wherein the two lenses have respective different diameters and radii of curvature that are different to form a fanning out of the beam of light rays, from narrow to wide from one optical port to the other. JP8-15564 discloses an optical connector with two lens (6,7) separated by a space. Figs. 14 and 15 of Aoyama et al. discloses lens 51 on a transparent plate, but it is for an imaging device such as a copying machine (see column 12, last two lines). There appears to be no motivation to combine the teachings of Aoyama et al. with JP8-15564.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention **where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.** (see MPEP 2143.01, page 2100-98, column 1). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see MPEP 2143.01, page 2100-98, column 2). A statement that modifications of the prior art to meet the claimed invention

would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is **not sufficient** to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. (see MPEP 2143.01, page 2100-99, column 1) Ex parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). >See also Al-Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999) (The level of skill in the art cannot be relied upon to provide the suggestion to combine references.)

In the present case, there is no suggestion to combine the teachings of Aoyama et al. with JP8-15564. Aoyama et al. has nothing to do with an optical connector. A person working the in art of optical connectors would not be looking in the field of copying machines. Aoyama et al. is not analogous art.

The examiner has failed to establish a prima facie case of obviousness because the examiner has failed to establish there a suggestion (in the art or otherwise) to combine the teachings of Aoyama et al. with JP8-15564. The combined features of claim 1 are not disclosed or suggested in the art of record. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 2-3 and 5-10 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

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Claim 11 has been added to claim the features recited therein.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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5/18/06

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